

venue is **DENIED**; and it is

ORDERED that pursuant to 28 U.S.C. § 1406(a), this action be transferred to the United States District Court for the Southern District of Florida; and it is further

ORDERED that Defendant's motion to dismissed based on a "shotgun" pleading and motion to dismiss the negligence claim (Count II) of the amended complaint, be **DISMISSED WITHOUT PREJUDICE** and that Defendant be allowed to re-file these two motions with the transferee court in the Southern District of Florida.

SO ORDERED.

s/Susan D. Wigenton, U.S.D.J.

Orig: Clerk
cc: Judge Arleo
Parties